

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
ECHOSTAR SATELLITE	)	
CORPORATION	)	File No. CSR-5412-P
	)	
v.	)	
	)	
FOX/LIBERTY NETWORKS, LLC	)	
	)	
FOX            SPORTS            NET,            LLC	)	
	)	
FOX SPORTS DIRECT	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: December 20, 1999**

**Released: December 23, 1999**

By the Chief, Consumer Protection and Competition Division, Cable Services Bureau:

1. EchoStar Satellite Corporation ("EchoStar") filed a program access complaint pursuant to Section 628(c)(2)(B) of the Communications Act of 1934, as amended, and Section 76.1002(b) of the Commission's rules against Fox/Liberty Networks, LLC, Fox Sports Net, LLC, and Fox Sports Direct (collectively "Fox"). EchoStar alleged in its complaint that Fox unlawfully discriminated against EchoStar in prices and other terms and conditions for making available the regional sports programming of Fox Sports Arizona. Fox filed an answer and EchoStar filed a reply.

2. On December 9, 1999, EchoStar filed a "Motion to Dismiss with Prejudice" requesting that the Commission dismiss its program access complaint against Fox. EchoStar explains that pursuant to a settlement agreement executed on November 29, 1999, EchoStar and Fox amicably settled certain disputes, including the above-captioned program access complaint. As part of that settlement, EchoStar agreed to dismiss with prejudice its pending program access complaint against Fox.

3. In accordance with EchoStar's December 9, 1999 request to dismiss its program access complaint against Fox, this proceeding is hereby dismissed with prejudice. This action is taken pursuant to delegated authority under Section 0.321 of the Commission's rules.<sup>1</sup>

FEDERAL COMMUNICATIONS COMMISSION

Deborah E. Klein, Chief  
Consumer Protection and Competition Division  
Cable Services Bureau

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<sup>1</sup> 47 C.F. R. § 0.321.